

6-21-05

PTO/SB/21 (09-04)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|----------------------|------------------------|--------------|
| Application Number | 10/803,348 | | |
| | Filing Date | March 18, 2004 | |
| | First Named Inventor | Ramsden | |
| | Art Unit | 1761 | |
| | Examiner Name | Unassigned | |
| Total Number of Pages in This Submission | | Attorney Docket Number | 006401.00458 |

ENCLOSURES (check all that apply)

| | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB08/a 3 References Certificate of Express Mail Return Receipt Postcard |
| Remarks The Commissioner is hereby authorized to charge any fees in connection with this correspondence to Deposit Account No. 19-0733./ Express Mail No. EI 995822057 US | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|------------------------|----------|--------|
| Firm | Banner & Witcoff, LTD. | | |
| Signature | | | |
| Printed Name | Jeffrey M. Cox | | |
| Date | June 20, 2005 | Reg. No. | 50,695 |

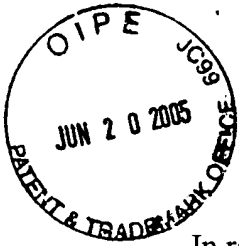
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No. 006401.00458)

In re U.S. Patent Application of)
Ramsden et al.)
)
Application No.: 10/803,348)
) Group Art Unit: 1761
Filed: March 18, 2004)
) Examiner: Unassigned
For: ALCOHOLIC BEVERAGE)
) Confirmation No. 5819
)
)

INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 CFR §§1.56, 1.97 and 1.98, enclosed is Form PTO/SB/08A (substitute for form PTO-1449/A/PTO), submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references cited in the enclosed form in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form PTO/SB/08A, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form PTO/SB/08A is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

☒ **within** any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR §1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR §1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR §1.114.

☐ **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR §1.113, a Notice of Allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:

☐ The statement under 37 CFR §1.97(e) (see "statement under 37 CFR §1.97(e)" below).

or

☐ the fee of \$180 set forth in 37 CFR §1.17(p) (see "Fees" below).

☐ **after** the mailing date of a final action under 37 CFR §1.113 or a Notice of Allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR §1.97(e) (see "Statement under 37 CFR §1.97(e)" below), and the fee of \$180 as set forth in 37 CFR §1.17(p) (see "Fees" below).

☐ **after** the mailing date of a Notice of Allowance under 37 CFR §1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR §1.704(d) (see "Statement under 37 CFR §1.704(d)" below), and the fee of \$180 as set forth in 37 CFR §1.17(p) (see "Fees" below).

Copies of the References

☒ Copies of the references listed on the enclosed Form 1449 are enclosed herewith. Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR §1.98(a)(3).

☒ A copy of the foreign search report is enclosed herewith.

☐ The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the

references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR §1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC §120 in which copies of the references were previously furnished are set out below:

Statement under 37 CFR §1.97(e)

_____ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

_____ The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Statement under 37 CFR §1.704(d)

_____ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Fees

 X No fee is owed by the applicant(s).
_____ The **IDS Fee of \$180** under 37 CFR §1.17(p) is enclosed herewith.

Method of Payment of Fees

_____ Attached is a check in the amount\$
_____ Charge Deposit Account No. 19-0733 in the amount of \$180 (A duplicate copy of this communication is enclosed for that purpose.)

Authorization to Charge Additional Fees

 X If any additional fees are owed in connection with this communication, please charge Deposit Account No. 19-0733.

Instructions as to Overpayment

 X Credit Account No. 19-0733.

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Date: June 20, 2005

Respectfully submitted,

By: 

Jeffrey M. Cox

Registration No. 50,695

Banner & Witcoff, Ltd

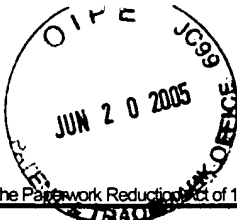
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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Complete if Known

| | |
|------------------------|----------------|
| Application Number | 10/803,348 |
| Filing Date | March 18, 2004 |
| First Named Inventor | Ramsden |
| Art Unit | 1761 |
| Examiner Name | Unassigned |
| Attorney Docket Number | 006401.00458 |

U.S. PATENT DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|------------------------|--------------------------|--|--------------------------------|--|---|
| | | Number - Kind Code ² (if known) | | | |
| | | US- 4,073,947 | 02-14-1978 | Witt | |
| | | US- 2,206,719 | 07-02-1940 | Draeger | |
| | | US- 3,798,331 | 03-19-1974 | Bavisotto et al. | |
| | | US- | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|------------------------|--------------------------|---|-----------------------------------|---|--|----------------|
| | | Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | | | | |
| | | GB 2292157A | 02-14-1996 | Jones et al. | | |
| | | EP1063285 | 12-27-2000 | Gorkum et al. | | |
| | | | | | | |

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|------------------------|--------------------------|---|----------------|
| | | | |
| | | International Search Report of PCT/US2004/008354 mailed September 21, 2004 | |
| | | | |
| | | | |

Examiner
Signature

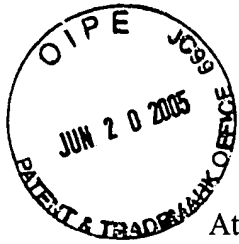
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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CERTIFICATE OF EXPRESS MAIL
(PATENT)

Attorney Docket No. 006401.00458
Confirmation No. 5819

Express Mail No. EL 995822057 US
Deposited June 20, 2005

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By: Rafael Perez
(person *actually* depositing)

Ramsden, U.S. Patent Application No. 10/803,348 for "ALCOHOLIC BEVERAGE"

- Transmittal Form
- Form PTO/SB/08a, 1 page
- Information Disclosure Statement, 4 pages
- 3 References
- Return Receipt Postcard